

# **EXHIBIT 23**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 11-1001-CON0115 (MBHB 14-1795-US3))**

In the Application of:	)	
Arthur Coburn IV	)	Examiner: Oschta Montoya
	)	
Application No.: 14/628,952	)	Group Art Unit: 2421
	)	
Filing Date: Feb. 23, 2015	)	Confirmation No.: 6897
	)	
For: Networked Music Playback	)	
	)	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313

**RESPONSE TO NON-FINAL OFFICE ACTION MAILED JULY 25, 2016**

Responsive to the Non-Final Office Action mailed July 25, 2016, Applicant respectfully requests reconsideration of the application in view of the following remarks. Applicant generally authorizes the Office to charge any underpayment or credit any overpayment to Deposit Account No. 13-2490 and to treat this or any subsequent communication that requires an extension of time as incorporating a request for such an extension.

**Amendments to the Claims** begin on page 2.

**Remarks** begin on page 14.

**AMENDMENTS TO THE CLAIMS**

1. (Currently amended) A method comprising:

causing, via a control device, a graphical interface to display a control interface including one or more transport controls to control playback by the control device;

after connecting to a local area network via a network interface, identifying, via the control device, playback devices connected to the local area network;

causing, via the control device, the graphical interface to display a selectable option for transferring playback from the control device;

detecting, via the control device, a set of inputs to transfer playback from the control device to a particular playback device, wherein ~~detecting~~ the set of inputs comprises: (i) a selection of the selectable option for transferring playback from the control device and (ii) a selection of the particular playback device from the identified playback devices connected to the local area network;

~~detecting, via the control device, a first input comprising an identification of the playback device;~~

~~detecting, via the control device, a second input comprising an identification of an item, wherein multimedia content associated with the item is retrievable from a content provider;~~

~~detecting, via the control device, a trigger, wherein detecting the trigger comprises detecting one or more third inputs that are not the first input or the second input; and~~

after detecting the set of inputs to transfer playback from the control device to the particular playback device, causing playback to be transferred from the control device to the particular playback device, wherein transferring playback from the control device to the particular playback device comprises:

(a) causing one or more first cloud servers to add multimedia content to a local playback queue on the particular playback device;

(b) causing playback at the control device to be stopped; and

(c) modifying the one or more transport controls of the control interface to control playback by the playback device; and

causing the particular playback device to play back the multimedia content, wherein the particular playback device playing back the multimedia content comprises the particular playback device retrieving the multimedia content from one or more second cloud servers of a streaming content service and playing back the retrieved multimedia content

~~sending, via a network interface, information regarding the multimedia content from the control device to the playback device, wherein the information comprises an identification of the multimedia content for playback by the playback device, and wherein the information causes the playback device to (a) retrieve, independent of the control device, the multimedia content from the content provider and (b) initiate playback of the retrieved multimedia content.~~

2. (Currently amended) The method of claim 1, wherein detecting the set of inputs to transfer playback from the control device to the particular playback device comprises detecting a set of inputs to transfer playback from the control device to a particular zone of a media playback system that includes the particular playback device as a first channel of a stereo pair and an additional playback device as a second channel of the stereo pair, wherein modifying the one or more transport controls of the control interface to control playback by the particular playback device comprises causing the one or more transport controls of the control interface to control playback by the particular playback device and the additional playback device, and wherein ~~initiating playback of~~ the particular playback device playing back the retrieved multimedia content comprises ~~initiating playback by~~ the particular playback device and the additional playback device playing back the multimedia content as the stereo pair.

3. (Currently amended) The method of claim 1, wherein detecting the set of inputs to transfer playback from the control device to the particular playback device comprises detecting a set of inputs to transfer playback from the control device to a particular zone group of a media particular playback system that includes a first zone and a second zone, wherein the first zone includes the particular playback device and the second zone includes at least one additional playback device, wherein modifying the one or more transport controls of the control interface to control playback by the playback device comprises causing the one or more transport controls of the control interface to control playback by the particular playback device and the at least one

additional playback device in synchrony, and wherein ~~initiating playback of the particular playback device playing back~~ the retrieved multimedia content comprises ~~initiating playback by the particular playback device and the at least one additional playback device playing back the multimedia content~~ in synchrony.

4. (Currently amended) The method of claim 1, wherein the control interface is displayed by an application associated with the ~~content provider~~ streaming content service, and wherein the set of inputs further detecting the one or more third inputs comprises detecting an input to select a link in the application associated with the ~~content provider~~ streaming content service and wherein selection of the link launches a second application to facilitate retrieving streaming of the multimedia content ~~[[to]] by the particular~~ playback device from a particular source indicated by a resource locator.

5. (Currently amended) The method of claim 1, wherein the control interface is displayed by an application associated with the ~~content provider~~ streaming content service, and wherein the set of inputs further detecting the one or more third inputs comprises detecting an input to select a link in the application associated with the ~~content provider~~ streaming content service and wherein selection of the link causes the control device to transmit ~~provides~~ information to the one or more first cloud servers ~~a server to begin multimedia content playback via~~ add multimedia content to the local playback queue on the particular playback device.

6. (Currently amended) The method of claim 1, further comprising detecting, via~~[[by]]~~ the control device, a set of inputs to transfer playback from the playback device back to the control device, wherein transferring playback from the playback device back to the control device comprises:

causing playback at the playback device to be stopped; and

modifying the one or more transport controls of the control interface to control playback by the control device.

7. (Currently amended) The method of claim 1, wherein causing the graphical interface to display the control interface including one or more transport controls to control playback by the control device comprises causing the graphical interface to display a control interface that includes the one or more transport controls in a particular arrangement on the graphical interface, and wherein modifying the one or more transport controls of the control interface to control playback by the particular playback device comprises causing the graphical interface to display the one or more transport controls to control playback by the particular playback device while in the particular arrangement.

8. (Currently amended) The method of claim 1, wherein ~~sending information regarding the multimedia content from the control device to the playback device comprises sending, via a local area network, an identifier indicating~~ causing the one or more first cloud servers to add multimedia content to the local playback queue comprises causing an identifier of the multimedia content to be added to the local playback queue, wherein the identifier indicates a particular source of the multimedia content at the one or more second cloud servers of the streaming content service, wherein the particular playback device receives the multimedia content from the particular source at the one or more second cloud servers of the streaming content service.

9. (Currently amended) The method of claim 1, ~~wherein sending information regarding the multimedia content from the control device to the playback device comprises sending information regarding the multimedia content from the control device to a server that provides the multimedia content to the playback device~~

wherein causing one or more first cloud servers to add the multimedia content to the local playback queue on the particular playback device comprises sending a message to the streaming content service that causes the one or more first cloud servers to add the multimedia content to the local playback queue on the particular playback device.

10. (Currently amended) A tangible, non-transitory computer readable storage medium including instructions for execution by a processor, the instructions, when executed, cause a control device to implement a method comprising:

causing a graphical interface to display a control interface including one or more transport controls to control playback by the control device;

after connecting to a local area network via a network interface, identifying playback devices connected to the local area network;

causing the graphical interface to display a selectable option for transferring playback from the control device;

detecting a set of inputs to transfer playback from the control device to a particular playback device, wherein ~~detecting~~ the set of inputs comprises: (i) a selection of the selectable option for transferring playback from the control device and (ii) a selection of the particular playback device from the identified playback devices connected to the local area network;

~~detecting a first input comprising an identification of the playback device;~~

~~detecting a second input comprising an identification of an item, wherein multimedia content associated with the item is retrievable from a content provider;~~

~~detecting a trigger, wherein detecting the trigger comprises detecting one or more third inputs that are not the first input or the second input; and~~

after detecting the set of inputs to transfer playback from the control device to the particular playback device, causing playback to be transferred from the control device to the particular playback device, wherein transferring playback from the control device to the particular playback device comprises:

(a) causing one or more first cloud servers to add multimedia content to a local playback queue on the particular playback device;

(b) causing playback at the control device to be stopped; and

(c) modifying the one or more transport controls of the control interface to control playback by the playback device; and

causing the particular playback device to play back the multimedia content, wherein the particular playback device playing back the multimedia content comprises the particular

playback device retrieving the multimedia content from one or more second cloud servers of a streaming content service and playing back the retrieved multimedia content

~~sending, via a network interface, information regarding the multimedia content from the control device to the playback device, wherein the information comprises an identification of the multimedia content for playback by the playback device, and wherein the information causes the playback device to (a) retrieve, independent of the control device, the multimedia content from the content provider and (b) initiate playback of the retrieved multimedia content.~~

11. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein detecting the set of inputs to transfer playback from the control device to the particular playback device comprises detecting a set of inputs to transfer playback from the control device to a particular zone of a media playback system that includes the particular playback device as a first channel of a stereo pair and an additional playback device as a second channel of the stereo pair, wherein modifying the one or more transport controls of the control interface to control playback by the particular playback device comprises causing the one or more transport controls of the control interface to control playback by the particular playback device and the additional playback device, and wherein ~~initiating playback of the particular playback device playing back~~ the retrieved multimedia content comprises ~~initiating playback by~~ the particular playback device and the additional playback device playing back the multimedia content as the stereo pair.

12. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein detecting the set of inputs to transfer playback from the control device to the particular playback device comprises detecting a set of inputs to transfer playback from the control device to a particular zone group of a media particular playback system that includes a first zone and a second zone, wherein the first zone includes the particular playback device and the second zone includes at least one additional playback device, wherein modifying the one or more transport controls of the control interface to control playback by the playback device comprises causing the one or more transport controls of the control interface to control playback by the particular playback device and the at least one additional playback device in synchrony,



and wherein ~~initiating playback of~~ the particular playback device playing back the retrieved multimedia content comprises ~~initiating playback by the particular~~ playback device and the at least one additional playback device playing back the multimedia content in synchrony.

13. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein the control interface is displayed by an application associated with the ~~content provider~~ streaming content service, and wherein the set of inputs further detecting the one or more third inputs comprises detecting an input to select a link in the application associated with the ~~content provider~~ streaming content service and wherein selection of the link launches a second application to facilitate retrieving streaming of the multimedia content ~~[[to]]~~ by the particular playback device from a particular source indicated by a resource locator.

14. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein the control interface is displayed by an application associated with the ~~content provider~~ streaming content service, and wherein the set of inputs further detecting the one or more third inputs comprises detecting an input to select a link in the application associated with the ~~content provider~~ streaming content service and wherein selection of the link causes the control device to transmit ~~provides~~ information to the one or more first cloud servers ~~a server~~ to begin multimedia content playback via add multimedia content to the local playback queue on the particular playback device.

15. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein the method further comprises further comprising ~~further comprising~~ detecting, ~~by the control device~~, a set of inputs to transfer playback from the playback device back to the control device, wherein transferring playback from the playback device back to the control device comprises:  
causing playback at the playback device to be stopped; and  
modifying the one or more transport controls of the control interface to control playback by the control device.

16. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein causing ~~the~~<sup>[[a]]</sup> graphical interface to display the control interface including one or more transport controls to control playback by the control device comprises causing the graphical interface to display a control interface that includes the one or more transport controls in a particular arrangement on the graphical interface, and wherein modifying the one or more transport controls of the control interface to control playback by the playback device comprises causing the graphical interface to display the one or more transport controls to control playback by the playback device ~~while~~ in the particular arrangement.

17. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein ~~sending information regarding the multimedia content from the control device to the playback device comprises sending, via a local area network, an identifier indicating~~ causing the one or more first cloud servers to add multimedia content to the local playback queue on the particular playback device comprises causing an identifier of the multimedia content to be added to the local playback queue, wherein the identifier indicates a particular source of the multimedia content at the one or more second cloud servers of the streaming content service, wherein the particular playback device receives the multimedia content from the particular source at the one or more second cloud servers of the streaming content service.

18. (Currently amended) The tangible, non-transitory computer readable medium of claim 10,

~~wherein sending information regarding the multimedia content from the control device to the playback device comprises sending information regarding the multimedia content from the control device to a server that provides the multimedia content to the playback device~~

wherein causing one or more first cloud servers to add the multimedia content to the local playback queue on the particular playback device comprises sending a message to the streaming content service that causes the one or more first cloud servers to add the multimedia content to the local playback queue on the particular playback device.

19. (Currently amended) A control device comprising:

a graphical interface;  
a wireless communication interface to communicate with a playback device;  
one or more processors;  
tangible non-transitory computer-readable media having instructions encoded therein,  
wherein the instructions, when executed by the one or more processors, cause the control device  
to perform functions comprising:

causing the graphical interface to display a control interface including one or  
more transport controls to control playback by the control device;

after connecting to a local area network via the wireless communication interface,  
identifying playback devices connected to the local area network;

causing the graphical interface to display a selectable option for transferring  
playback from the control device;

detecting a set of inputs to transfer playback from the control device to a  
particular playback device, wherein ~~detecting~~ the set of inputs comprises: (i) a selection  
of the selectable option for transferring playback from the control device and (ii) a  
selection of the particular playback device from the identified playback devices  
connected to the local area network;

~~detecting a first input comprising an identification of the playback device;~~

~~detecting a second input comprising an identification of an item, wherein~~  
~~multimedia content associated with the item is retrievable from a content~~  
~~provider;~~

~~detecting a trigger, wherein detecting the trigger comprises detecting one~~  
~~or more third inputs that are not the first input or the second input; and~~

after detecting the set of inputs to transfer playback from the control device to the  
particular playback device, causing playback to be transferred from the control device to  
the particular playback device, wherein transferring playback from the control device to  
the particular playback device comprises:

(a) causing one or more first cloud servers to add multimedia content to a  
local playback queue on the particular playback device;

(b) causing playback at the control device to be stopped; and

(c) modifying the one or more transport controls of the control interface to control playback by the playback device; and

causing the particular playback device to play back the multimedia content, wherein the particular playback device playing back the multimedia content comprises the particular playback device retrieving the multimedia content from one or more second cloud servers of a streaming content service and playing back the retrieved multimedia content

~~sending, via the wireless communication interface, information regarding the multimedia content from the control device to the playback device, wherein the information comprises an identification of the multimedia content for playback by the playback device, and wherein the information causes the playback device to (a) retrieve, independent of the control device, the multimedia content from the content provider and (b) initiate playback of the retrieved multimedia content.~~

20. (Currently amended) The control device of claim 19, wherein detecting the set of inputs to transfer playback from the control device to the particular playback device comprises detecting a set of inputs to transfer playback from the control device to a particular zone group of a media particular playback system that includes a first zone and a second zone, wherein the first zone includes the particular playback device and the second zone includes at least one additional playback device, wherein modifying the one or more transport controls of the control interface to control playback by the playback device comprises causing the one or more transport controls of the control interface to control playback by the particular playback device and the at least one additional playback device in synchrony, and wherein ~~initiating playback of the particular playback device playing back~~ the retrieved multimedia content comprises ~~initiating playback by the particular playback device and the at least one additional playback device playing back the multimedia content~~ in synchrony.

21. (Currently amended) The method of claim 1, wherein detecting the set of inputs comprises ~~one or more third inputs~~ comprises detecting ~~an input that causes transfer of playback from the controller to the playback device~~ a selection of the multimedia content.

22. (Currently amended) The method of claim 1, wherein detecting the set of inputs comprises ~~one or more third inputs~~ comprises detecting an input that causes playback at the control device ~~controller~~ to be stopped.

23. (Currently amended) The method of claim 1, wherein detecting the set of inputs comprises ~~one or more third inputs~~ detecting selection of a button on the control interface.

24. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein detecting the set of inputs comprises ~~one or more third inputs~~ comprises detecting ~~an input that causes transfer of playback from the controller to the playback device~~ a selection of the multimedia content.

25. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein detecting the set of inputs comprises ~~one or more third inputs~~ comprises detecting an input that causes playback at the control device ~~controller~~ to be stopped.

26. (Currently amended) The tangible, non-transitory computer readable medium of claim 10, wherein detecting the set of inputs comprises ~~one or more third inputs~~ detecting selection of a button on the control interface.

27. (Currently amended) The control device of claim 19, wherein detecting the set of inputs comprises ~~one or more third inputs~~ comprises detecting ~~an input that causes transfer of playback from the controller to the playback device~~ a selection of the multimedia content.

28. (Currently amended) The control device of claim 19, wherein detecting the set of inputs comprises ~~one or more third inputs~~ comprises detecting an input that causes playback at the control device controller to be stopped.

29. (Currently amended) The control device of claim 19, wherein detecting the set of inputs comprises ~~one or more third inputs~~ detecting selection of a button on the control interface.

## **REMARKS**

### **1. Summary of the Office Action**

In the non-final Office Action mailed July 25, 2016, the Examiner rejected claims 1, 6-10, 15-19, and 21-29 under pre-AIA 35 U.S.C. § 103(a) as being allegedly unpatentable over DaCosta (US 2008/0134256) in view of Dua (US 2006/0258289); rejected claims 3, 12, and 20 under pre-AIA 35 U.S.C. § 103(a) as being allegedly unpatentable over DaCosta in view of Dua in view of Millington (US 2012/0192071); and rejected claims 4-5 and 13-14 under pre-AIA 35 U.S.C. § 103(a) as being allegedly unpatentable over DaCosta in view of Dua in view of Zott (US 2009/0228919).

### **2. Status of the Claims**

Currently pending are claims 1-29, of which claims 1, 10 and 19 are independent and the remainder are dependent. Claims 1-29 have been amended to further clarify aspects of the invention and to expedite prosecution. No new matter has been added.

### **3. Response to the § 103 Rejections**

As noted above, the Examiner rejected claims 1, 9 and 20 under pre-AIA 35 U.S.C. § 103 as being allegedly unpatentable over DaCosta (US 2008/0134256) in view of Dua (US 2006/0258289). For at least the reason that the cited references do not teach the subject matter currently recited by Applicant's claims, the pending § 103 rejections should be withdrawn.

In view of the foregoing, Applicant requests that the pending art rejections of claims 1, 9 and 19 be withdrawn. In addition, the pending § 103 rejections of dependent claims 2-9, 11-18, and 20-29 should be withdrawn as well.

### **4. Conclusion**

Applicant submits that claims 1-29 are in condition for allowance. Applicant does not acquiesce in any assertion by the Examiner that is not expressly addressed by these remarks. Should the Examiner wish to discuss this case with the undersigned, the Examiner is encouraged to call the undersigned at (312) 913-2128.

Respectfully submitted,  
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HULBERT & BERGHOFF LLP**

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